

# MISSOURI COURT OF APPEALS WESTERN DISTRICT

**BONNIE JENSEN-PRICE,**

**Appellant,**

**v.**

**ENCOMPASS MEDICAL GROUP and TREASURER OF THE STATE OF MISSOURI -  
CUSTODIAN OF THE SECOND INJURY FUND,**

**Respondents.**

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DOCKET NUMBER WD79526

**Date: August 23, 2016**

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Appeal from:  
Labor and Industrial Relations Commission

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Appellate Judges:  
Victor C. Howard, Presiding Judge, Lisa White Hardwick and Edward R. Ardini, Jr.,  
Judges

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Attorneys:  
Mav H. Mirfasihi, Kansas City for appellant.  
Harry Sokoloff, Overland Park for Encompass Medical Group; Kimberley Fournier,  
Kansas City for Treasurer.

# **MISSOURI APPELLATE COURT OPINION SUMMARY**

## **COURT OF APPEALS -- WESTERN DISTRICT**

**BONNIE JENSEN-PRICE**

**Appellant,**

**v.**

**ENCOMPASS MEDICAL GROUP and TREASURER OF THE STATE OF  
MISSOURI - CUSTODIAN OF THE SECOND INJURY FUND,**

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WD79526

Labor and Industrial Relations Commission

Before Division Three: Victor C. Howard, Presiding Judge, Lisa White Hardwick and  
Edward R. Ardini, Jr., Judges

Bonnie Jensen-Price appeals the Labor and Industrial Relations Commission's ("Commission") decision denying her claim for permanent total disability benefits after a maintenance worker's cart collided with her leg and caused her to fall as she was engaged in a work activity for her job with Encompass Medical Group ("Employer"). Jensen-Price contends the Commission's decision constituted an erroneous application of the law and was not supported by the evidence.

**REVERSED AND REMANDED.**

Division Three holds:

The Commission erred in denying Jensen-Price's claim for compensation because she proved that the risk source of her injury -- colliding with a maintenance worker's cart as it was pushed out of a darkened elevator in the office building in which

Employer's business was located – was related to her employment and was not one to which she was equally exposed in her normal nonemployment life.

Opinion by: Lisa White Hardwick, Judge

**August 23, 2016**

**THIS SUMMARY IS UNOFFICIAL AND SHOULD NOT BE QUOTED OR CITED.**